

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

WOLFRAM ARNOLD, ERIK FROESE,
TRACY HAWKINS, JOSEPH
KILLIAN, LAURA CHAN PYTLARZ,
and ANDREW SCHLAIKJER,

Plaintiffs,

v.

X CORP. f/k/a TWITTER, INC., X
HOLDINGS CORP. f/k/a X
HOLDINGS I, INC., and ELON MUSK,

Defendants.

C.A. No. 1:23-cv-528-CFC

**DEFENDANT ELON MUSK’S MOTION TO DISMISS COUNTS I-XIV
UNDER FEDERAL RULE OF CIVIL PROCEDURE 12(b)(2) AND
ALTERNATIVE MOTION TO DISMISS UNDER FEDERAL RULE OF
CIVIL PROCEDURE 12(b)(6)**

Defendant Elon Musk, by and through his undersigned counsel, moves the Court to dismiss all counts asserted against him (Counts I–XIV) under Federal Rule of Civil Procedure 12(b)(2) for lack of personal jurisdiction, and alternatively, under Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim.

The grounds for this Motion are set forth in Defendant Musk’s opening brief accompanying this Motion.

Dated: July 31, 2023

MORGAN, LEWIS & BOCKIUS LLP

/s/ Jody C. Barillare

Jody C. Barillare (#5107)

1201 North Market Street, Suite 2201
Wilmington, DE 19801
Tel: 302.574.3000
jody.barillare@morganlewis.com

Attorneys for Defendant Elon Musk